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Attorneys for Defendant American Airlines

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
NEWARK VICINAGE**

RICHARD A. and PATRICIA  
MARSELLA,  
Individually and as p/g/n of  
RICHARD J. MARSELLA,

Plaintiffs,

v.

AMERICAN AIRLINES,  
UNITED HEALTHCARE  
INSURANCE CO, INC.,  
PENSION BENEFITS  
ADMINISTRATION  
COMMITTEE AT AMERICAN  
AIRLINES, AMERICAN  
AIRLINES' GROUP LIFE &  
HEALTH BENEFITS PLAN FOR  
EMPLOYEES OF  
PARTICIPATING AMR CORP.  
SUBSIDIARIES, and JOHN  
DOES 1-10,

Defendants.

**Civil Action No. 10-cv-1454**

**[PROPOSED] ORDER**

**Document Electronically Filed**

AND NOW on this \_\_\_\_\_ day of \_\_\_\_\_ 2011, after considering Defendants American Airlines, Inc., Pension Benefits Administration Committee at American Airlines, and American Airlines' Group Life & Health Benefits Plan for Employees of Participating AMR Corp. Subsidiaries' Motion for Summary Judgment and any response thereto, it is hereby ORDERED that Defendants' Motion for Summary Judgment is GRANTED and the above-referenced case against American Airlines, Inc., Pension Benefits Administration Committee at American Airlines, and American Airlines' Group Life & Health Benefits Plan for Employees of Participating AMR Corp. Subsidiaries is dismissed in its entirety.

\_\_\_\_\_. J.

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**NOTICE OF MOTION OF SUMMARY  
JUDGMENT ON BEHALF OF AMERICAN  
AIRLINES, INC., AMERICAN AIRLINES'  
PENSION BENEFITS ADMINISTRATION  
COMMITTEE, AND AMERICAN  
AIRLINES' GROUP LIFE & HEALTH  
BENEFITS PLAN FOR EMPLOYEES OF  
PARTICIPATING AMR CORPORATE  
SUBSIDIARIES**

**RETURN DATE: JUNE 6, 2011**

**Document Electronically Filed**

**ORAL ARGUMENT REQUESTED**

PLEASE TAKE NOTICE that on June 6, 2011 at 9:00 a.m., or as soon thereafter as counsel may be heard, Defendants American Airlines, Inc., Pension Benefits Administration Committee at American Airlines, and American Airlines' Group Life & Health Benefits Plan for Employees of Participating AMR Corp. Subsidiaries will move for an order granting summary judgment on their behalf pursuant to Fed. R. Civ. P. 56. In support of this Motion, the moving Defendants will rely upon the arguments set forth in the supporting Memorandum of Law, the L.Civ.R. 56.1 Statement of Material Facts Not in Dispute, and accompanying Administrative Record filed herewith.

Oral argument is requested pursuant to L.Civ.R. 78.1

Respectfully submitted,

/s/ Jeremy P. Blumenfeld  
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Dated: April 8, 2011

Attorneys for Defendants American  
Airlines, Inc., Pension Benefits  
Administration Committee at American  
Airlines, and American Airlines' Group Life  
& Health Benefits Plan for Employees of  
Participating AMR Corp. Subsidiaries